United Nations S/AC.43/2013/2

Security Council

Distr.: General
18 July 2013

Original: English

Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Note verbale dated 17 July 2013 from the Permanent Mission of Lithuania to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Republic of Lithuania to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo and has the honour to transmit herewith the report of the Republic of Lithuania on the implementation of the restrictive measures against the Democratic Republic of the Congo imposed by the Security Council in its resolutions, inter alia, resolutions 1596 (2005), 1807 (2008), 1857 (2008), 1896 (2009), 1952 (2010), 2021 (2011) and 2078 (2012) (see annex).

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Annex to the note verbale dated 17 July 2013 from the Permanent Mission of Lithuania to the United Nations addressed to the Chair of the Committee

The Republic of Lithuania implements the restrictive measures against the Democratic Republic of the Congo imposed by the Security Council in its resolutions, inter alia, resolutions 1596 (2005), 1807 (2008), 1857 (2008), 1896 (2009), 1952 (2010), 2021 (2011) and 2078 (2012) through a system of the following measures, taken at the European Union and national levels.

I. Measures taken at the European Union level

Council Decision 2010/788/CFSP of 20 December 2010 concerning restrictive measures against the Democratic Republic of the Congo and repealing Common Position 2008/369/CFSP (as amended or supplemented by the following Council decisions and implementing decisions: 2011/699/CFSP of 20 October 2011, 2011/848/CFSP of 16 December 2011, 2012/811/CFSP of 20 December 2012 and 2013/46/CFSP of 22 January 2013) sets out the commitment of the European Union to implement all the measures contained in the relevant Security Council resolutions, including:

- Embargo on arms and related materiel against non-governmental entities and individuals operating in the Democratic Republic of the Congo;
- Ban on provision of certain services;
- Freezing of funds and economic resources owned or controlled directly or indirectly by specified entities and individuals;
- Restrictions on admission of individuals.

Council Regulation (EC) No. 889/2005 of 13 June 2005 imposing certain restrictive measures in respect of the Democratic Republic of the Congo and repealing Regulation (EC) No. 1727/2003 (as amended by the following Council regulations: No. 1377/2007 of 26 November 2007 and No. 666/2008 of 15 July 2008) and Council Regulation (EC) No. 1183/2005 of 18 July 2005 imposing certain restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo (as amended by Council Regulation (EC) No. 1791/2006 of 20 November 2006 and the following Commission implementing regulations: No. 1097/2011 of 25 October 2011, No. 7/2012 of 5 January 2012, No. 1251/2012 of 20 December 2012 and No. 53/2013 of 22 January 2013) give effect to the measures that fall under the competence of the European Union (i.e., all except those relating to the embargo on arms and related materiel, and restrictions on admission of listed natural persons), in particular with a view to ensuring their uniform application by economic operators in all member States of the European Union.

II. Measures taken at the national level

The regulations and implementing regulations of the Council of the European Union are directly applicable in the Republic of Lithuania from the date of their entry into force, no further national implementation is required regarding the measures contained therein.

As regards the remaining measures that fall under national competence, the following additional actions have been taken:

- Embargo on arms and related materiel: the Democratic Republic of the Congo was included in the list of the States to which the export or transit of the goods listed in the Common Military List is prohibited and for which brokering in negotiations and transactions in the goods listed in the Common Military List is prohibited, originally approved by the Government of the Republic of Lithuania in its Resolution No. 237 of 1 March 2005;

- Restrictions on admission of listed natural persons: in accordance with Resolution No. 639 of 6 June 2007 of the Government of the Republic of Lithuania concerning the implementation of political sanctions, restricting entry into, or transit through, the territory of the Republic of Lithuania of persons, the individuals concerned have been included in the list of aliens prohibited from entering the Republic of Lithuania.

Compliance with the above measures is administered and supervised by the competent national authorities within the existing legal framework established by the Law on the Implementation of Economic and Other International Sanctions and Resolution No. 1679 of 30 December 2004 of the Government of the Republic of Lithuania concerning the procedure for supervision of the implementation of international sanctions, as well as laws governing specific areas, such as the Law on the Control of Strategic Goods of 5 April 1995, the Law on the Legal Status of Aliens of 29 April 2004 and the Law on the Prevention of Money Laundering and Terrorist Financing of 19 June 1997 and implementing regulations thereto.

Infringements of the above measures constitute, under the law of the Republic of Lithuania, either an administrative offence or a crime, punishable by up to five years of imprisonment.